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June 13, 2014

**BY ECF**

Hon. Katherine B. Forrest
United States District Court
Southern District of New York
500 Pearl Street, Room 1950
New York, NY 10007

**Re:** ***In Re Aluminum Warehousing Antitrust Litig.*, No. 13 MD 2481;**
***Duncan Galvanizing Corp. v. London Metal Exch. Ltd., et al.*, No. 14 Civ. 3728**

Dear Judge Forrest:

On behalf of Defendants, we write to respond to the Court's Order of June 10, 2014 regarding whether *Duncan Galvanizing* should be consolidated or coordinated with the *Aluminum Warehousing* MDL and whether its separate docket should be closed. *See* 13 MD 2481, ECF No. 430; 14 Civ. 3728, ECF No. 7. Defendants respectfully submit that, although the cases are related, a separate docket should be maintained.

Rule 13 of the Rules for Division of Business Among District Judges provides that cases are related, among other reasons, if "absent a determination of relatedness there would be a substantial duplication of effort and expense, delay, or undue burden on the Court, parties or witnesses." *Duncan Galvanizing* meets that standard because it presents certain legal and factual questions common to the aluminum cases and, absent coordination of the matters, parties and witnesses could be subjected to duplicative discovery and other burdens.

As plaintiffs observe in their letter, however, there are also significant differences in the cases that require a separate docket and a separate schedule for *Duncan Galvanizing*. Defendants therefore submit that the Court should retain *Duncan Galvanizing*, should maintain a separate docket for that action, and should coordinate the cases in a way that minimizes burdens on the parties and the Court, including avoiding potentially duplicative discovery.

Respectfully submitted,

s/ Neil K. Roman

cc: All Counsel (by ECF)